



*United States Attorney
Eastern District of New York*

AB:MT
F.#2009R00195

*271 Cadman Plaza East
Brooklyn, New York 11201*

March 12, 2010

Via ECF

The Honorable Steven M. Gold
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Edward Garofalo, Jr.
Criminal Docket No. 10-147 (SLT)

Dear Judge Gold:

The government respectfully submits this letter in further support of its motion for a permanent order of detention with respect to Edward Garofalo, Jr.

As set forth in the government's March 9, 2010 memorandum in support of its motion, Garofalo, Jr. is an associate of the Colombo family who is willing and able to use violence to further the goals of the Colombo family. Gov't Mem. at 26-28. This letter provides additional evidence, relating to the defendant's history and characteristics, that detention of Garofalo, Jr. as a danger to the community is warranted.

On January 22, 2009, Patrick Bombino, a Colombo associate with close ties to the defendant Theodore N. Persico, Jr., told a cooperating witness ("CW") on a consensual recording that Garofalo, Jr. "did a couple nice things during the war. So, I guess they hold that . . . (UI) . . . they hold that, as a uh, a uh, an honor, so to speak. And he probably has certain things that . . . You know, there's an old expression, keep your friends close, and your enemies closer. You know what I'm saying?" The CW understood the phrases "nice things during the war" and "an honor" to refer to murders that Garofalo committed on behalf of the Persico faction during an internecine Colombo family war in the early 1990s.

On January 23, 2010, the defendant James C. Bombino told the CW on a consensual recording that "the tall guy . . . bad, bad, many, many." In response, the CW said, "Oh, jeez," and then Bombino repeated, "many, many . . ." According to the CW, at some point during the course of this conversation, Bombino made a gun gesture with his hand. The CW understood "the tall guy" to refer to Garofalo and the gun gesture to refer to murders that Garofalo committed.

Coupled with the facts set forth in the government's March 9, 2010 memorandum, this additional information further shows that Garofalo, Jr. has a history of violent conduct in support of the Colombo crime family and that there is no condition or combination of conditions that would "reasonably assure the safety of any other person and the community." 18 U.S.C. § 3142(e).

Very truly yours,

BENTON J. CAMPBELL
United States Attorney

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cc: Jean Marie Graziano, Esq. (via ECF)